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Letter dated 8 February 2012 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General

I have the honour to convey to you herewith a concept note for the Security Council open debate on the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region, to be held on 21 February 2012 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Kodjo **Menan**
Ambassador
Permanent Representative

12-22831 (E) 150212

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Annex to the letter dated 8 February 2012 from the Permanent Representative of Togo to the United Nations addressed to the Secretary-General

Concept note on the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region

Introduction

It is Togo's intention to use its presidency of the Security Council in February 2012 to explore ways and means to tackle the impact of organized crime and related problems on peace, security and stability in West Africa and the Sahel region. To that end, the delegation of Togo will convene a debate chaired by the President of the Republic of Togo on 21 February 2012. The aim of the debate is to adopt concrete measures in assisting the countries of West Africa and the Sahel region to deal with various problems that they are facing, bearing in mind new threats to peace, stability and security resulting from crises occurring in neighbouring countries.

Background

By nature, organized crime is driven by a transnational dynamic that benefits from various factors. Several studies and reports have already highlighted the extent to which organized crime in West Africa and the Sahel region is fuelled by events arising in other parts and even outside Africa. As a result, individuals, scholars and institutions are rightly calling for coordinated action to tackle the phenomenon of organized crime in these regions.

However, the real impact of some recent events that have occurred in the region on organized crime remains unknown. Indeed, the geographical, political and economic ties are obvious and twofold and, therefore, a more holistic analysis of organized crime in those regions is required. Firstly, West Africa and the Sahel region are connected, since some countries in the Sahel region also form part of West Africa. Secondly, the evolving sophistication of organized crime in those regions invalidates the concept of and undermines the fight against organized crime as developed so far, to the extent that organized crime can no longer be disassociated from piracy in the Gulf of Guinea.

The question as to whether piracy has become an organized crime per se needs to be examined in order to establish how and to what extent pirates of various regions interact and learn from each other. However, it is uncontested that classic transnational organized crime and piracy are intertwined and reciprocally fuel each other in some areas, such as arms supply, drug trafficking, etc., to compromise security, political stability and the development of these regions. This holistic approach to the concept of organized crime, as well as an inclusive analysis of the regions, will enable a better picture of the synergetic interplay between the various crimes in the regions concerned to the benefit of the coordinated action in fighting organized crime in the West Africa and Sahel regions.

Awareness of organized crime in West Africa and the Sahel region

For the past three years, the Security Council has repeatedly raised awareness of the potential security threats created by the trafficking of drugs, arms, oil, humans, counterfeit goods and other goods in West Africa and the Sahel region. It goes without saying that these threats are obviously worsening political tensions within West Africa and the Sahel region, undermining development and regional stability and fuelling conflict and terrorism.

The reality of the threat posed by drug trafficking has been scrutinized by the Security Council and the Peacebuilding Commission in regard to Guinea-Bissau, Liberia and Sierra Leone. According to the United Nations Office on Drugs and Crime, United Nations Office for West Africa and Council reports, drug trafficking is increasingly intertwined with other forms of trafficking in the region, including oil bunkering. These trafficking networks are, in turn, financing armed militancy and terrorism in the Sahel region and piracy in the Gulf of Guinea.

The fight against organized crime in West Africa and the Sahel region

The countries in West Africa and the Sahel region are making tremendous efforts to fight organized crime. Thus far, some progress has been made in dismantling these trafficking networks. However, West Africa and the Sahel region are becoming a forum for more and more complex and sophisticated criminal as well as militant collaboration and innovation. Transnational trafficking networks now appear to be deep-rooted and more dangerous than ever, establishing alliances with both non-State armed actors.

As a result, there have been flagrant innovations in the West African criminal markets to the extent that States are unfortunately losing control over national and transnational violence. The revenues of other criminal service providers (arms traffickers, document forgers, pharmaceutical and DVD counterfeiters, couriers and protection providers) intertwine with the transatlantic cocaine trade and other forms of lawlessness activities in the region.

The diagnosis of organized crime in West Africa and the Sahel region

At this juncture, it appears that the underlying problem is not geographical, but rather one of governance, involving socio-political and economical parameters.

West Africa and Sahel region offer a highly favourable social environment for the forging of political-criminal partnerships. Many West African States have low revenue extraction capacities, frail financial control systems, poor law enforcement and judicial institutions, and a persisting susceptibility to corruption.

Furthermore, trafficking networks in West Africa and the Sahel are undermining States' sovereignty. This is to say that the global illicit markets have generated an entirely new scale of illicit financing, untethered to the local political and social responsibilities that usually structure the State's revenue extraction and service delivery arrangements.

Then there is violent competition for control of trafficking revenues and a fragmented security environment, as those revenues finance conflict and terrorism. Violence in some countries in the last three years seems to demonstrate that drug trafficking revenues already offer a highly tempting fast track for a younger, impatient generation of military officers or social groups that feel deprived of their fair share of criminal market revenues.

Organized crime is thus leading to a fragmentation of security in West Africa and the Sahel region, with risks that spread over to the inter-State arena. In some West African States, the future security landscape may, therefore, resemble inter-cartel violence, with an overlay of ethnic and religious sectarianism. In other States, the collaboration between foreign trafficking organizations and local oligarchic powers may be a better template.

The responses to organized crime by States in West Africa and the Sahel region

In recent years, numerous States have offered bilateral military, technical and financial assistance to the regions. Some of these initiatives are listed here but the list is not exhaustive. Much of this support is detailed in the recent report of the assessment mission on the impact of the Libyan crisis on the Sahel region (see S/2012/42), submitted to the Security Council in January 2012. In addition to the measures detailed in the report, the United Nations, African Union and Economic Community of West African States (ECOWAS) have all taken steps to develop coordinated arrangements to strengthen their efforts in abolishing trafficking. Namely, there is an ECOWAS Regional Response Action Plan adopted by Heads of State and Government in Abuja in December 2008 (which formally ended in December 2011), an African Union Plan of Action on Drug Control and Crime Prevention (2007-2012) and the United Nations/ECOWAS West Africa Coast Initiative, which conducts coordinated capacity-building in Côte d'Ivoire, Guinea, Guinea-Bissau, Liberia and Sierra Leone; its primary focus is on building transnational crime units in each country.

None of these efforts has had a major deterring impact on the development of trafficking networks in West Africa and the Sahel region. On the contrary, as stated in the preceding reports, the situation may have now become worse than before these initiatives were carried out.

The way forward in fighting organized crime in West Africa and the Sahel region

Despite their ongoing efforts, without considerable external assistance, States in West Africa and the Sahel region will not be able to effectively eradicate trafficking networks any time soon. It is clear that: "many officials throughout the region are deeply concerned by the effects of the drug trade, but are often confronted by people and networks more powerful than they are, and with other priorities. Leaders need support from their public, from within the region and from the international community" (Stephen Ellis).

Although the efforts of States in West Africa and the Sahel region are absolutely necessary, it is clear that after almost a decade of the expansion of trafficking networks in the region, these initiatives are insufficient. Part of the dilemma in organizing an effective response is due to the poor institutional capacity of States in the region, which is one of the most underprivileged regions in the world. The dreadful socio-economic conditions, aggravated by the dawdling global economic performance, with fragile governance arrangements, leave numerous populations in the region feeling poorly served by their States. Hence, any assistance to these States to overcome the struggle and promote economic growth and inclusive security will certainly bolster their policy of non-violent resolution of the resulting disputes. Consequently, as the recent inter-agency assessment report reveals, assistance from the international community that frames all of these disputes in narrow "security" terms without also taking steps to address these

broader questions of conflict prevention, governance and sustainable development will not provide an effective solution.

The United Nations system evidently has a wide range of expertise to offer the international community as it struggles with the complex challenges created by trafficking networks in West Africa and the Sahel region. Several United Nations bodies are already working in the region on trafficking networks, such as the United Nations Office for West Africa, United Nations Office on Drugs and Crime, International Organization for Migration, International Civil Aviation Organization, United Nations Children's Fund, Office of the United Nations High Commissioner for Refugees, Joint United Nations Programme on HIV/AIDS and United Nations Development Programme.

The primary challenge seems to be that of strategic coordination, not only within but also beyond the United Nations. The Secretary-General's representative in the United Nations Office for West Africa has called for consolidated strategic direction in international efforts. The Under-Secretary-General for Political Affairs, Lynn Pascoe, also recently suggested the need for a single mechanism to enhance coordination: "To be able to deal with the challenges in the Sahel region and to have a comprehensive, long-lasting impact, we need to put in place a mechanism that would bring together all the affected countries and major outside actors in a coordinated manner to discuss the issues and devise solutions."

The advantage of such an approach might be its greater inclusivity, since it would allow the United Nations to ally with relevant external partners — such as the World Bank, African Union, ECOWAS, INTERPOL and external military and development actors — to develop tailored programmes and action plans. A similar model could be adopted for trafficking networks in West Africa and the Sahel region, to assist in mobilizing and coordinating the international community's assistance in the following areas: (a) law enforcement and border controls; (b) financial governance; (c) electoral governance; (d) social programming, such as impacts on public health, anti-gang activities, employment initiatives and youth programming; and (e) public awareness campaigns and civil society mobilization.

Another alternative might be to explore how the United Nations could facilitate scaled-up investigative and judicial assistance to the regions through the international community. The recent inter-agency assessment team reported that the lack of national coordination and liaison mechanisms against transnational organized crime and terrorism make it particularly challenging for the countries of the region to adequately address the transnational threats they face. The Security Council, in his recent agenda-setting speech to the General Assembly and subsequent remarks to the press, has made it clear that he intends, in his second term, to explore various options to increase United Nations assistance in regional and international judicial mechanisms.